A-21

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER

ART UNIT	PAPER NUMBER
	7

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The reply filed 6/18/98 is not fully responsive to the communication mailed 1/26/98 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **THIRTY (30) DAYS** from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).
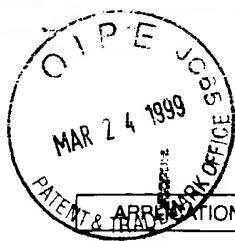
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wang whose telephone number is (703) 306-3217. The examiner can normally be reached on Monday to Thursday from 8 a.m. to 4:00 p.m. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Elliott, can be reached on (703) 308-4003. The fax phone number for this Group is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Andrew Wang
September 14, 1998

JOHN L. LEGUYADER
PRIMARY EXAMINER
GROUP 1600

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.

EXAMINER

ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

PTO-90C (Rev. 2/95)

U S GPO 1997-417-381/62715

2 - Mail Copy

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does
not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 –
1.825 for the following reason(s):

☐   1. This application clearly fails to comply with the requirements of 37 CFR 1.821
– 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29,
May 15, 1990 and at 55 FR 18230, May 1, 1990.

☐   2. This application does not contain, as a separate part of the disclosure on
paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).

☐   3. A copy of the "Sequence Listing" in computer readable form has not been
submitted as required by 37 CFR 1.821(e).

☑   4. A copy of the "Sequence Listing" in computer readable form has been submitted.
However, the content of the computer readable form does not comply with the requirements
of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw
Sequence Listing."

☐   5. The computer readable form that has been filed with this application has been
found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem
Report. A substitute computer readable form must be submitted as required by 37 CFR
1.825(d).

☐   6. The paper copy of the "Sequence Listing" is not the same as the computer
readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).

☐   7.

Other: _____

Applicant must provide:

☑   An initial or substitute computer readable form (CRF) copy of the "Sequence
Listing"

☑   An initial or substitute paper copy of the "Sequence Listing", as well as an
      amendment directing its entry into the specification

☑   A statement that the content of the paper and computer readable copies are the same
      and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or
      1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123
For CRF submission help, call (703) 308-4212
For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.

Raw Sequence Listing Error Summary

ERROR DETECTED   SUGGESTED CORRECTION   SERIAL NUMBER: ___08/973,635___

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

1 _____ Wrapped Nucleics   The number/text at the end of each line "wrapped" down to the next line.
                            This may occur if your file was retrieved in a word processor after creating it.
                            Please adjust your right margin to .3, as this will prevent "wrapping"

2 _____ Wrapped Aminos   The amino acid number/text at the end of each line "wrapped " down to the next line.
                            This may occur if your file was retrieved in a word processor after creating it.
                            Please adjust your right margin to .3, as this will prevent "wrapping"

3 _✓_ Incorrect Line Length The rules require that a line not exceed 72 characters in length. This includes spaces.
                            All text must be visible on page.

4 _____ Misaligned Amino Acid   The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs
        Numbering   between the numbering. It is recommended to delete any tabs and uses spacing between the numbers.

5 _____ Non-ASCII   This file was not saved in ASCII (DOS) text, as required by the Sequence Rules.
                            Please ensure your subsequent submission is saved in ASCII text so that it can be processed.

6 _____ Variable Length   Sequence(s) _____ contain n's or Xaa's which represented more than one residue.
                            As per the rules, each n or Xaa can only represent a single residue.
                            Please present the maximum number of each residue having variable length and
                            indicate in the (ix) features section that some may be missing.

7 _____ Wrong Designation   Sequence(s) _____ contain amino acid or nucleic acid designators which are not standard
                            representations as per the Sequence Rules (Please refer to paragraph 1.822)

8 _____ Skipped Sequences   Sequence(s) _____ missing. If intentional, please use the following format for each skipped sequence:
        (OLD RULES)   (2) INFORMATION FOR SEQ ID NO:X:
                            (i) SEQUENCE CHARACTERISTICS:(Do not insert any headings under "SEQUENCE CHARACTERISTICS")
                            (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X:
                            This sequence is intentionally skipped

                            Please also adjust the "(iii) NUMBER OF SEQUENCES " response to include the skipped sequence(s).

9 _____ Skipped Sequences   Sequence(s) _____ missing. If intentional, please use the following format for each skipped sequence.
        (NEW RULES)   <210> sequence id number
                            <400> sequence id number
                            000

10 _____ Use of N's or Xaa's   Use of N's and/or Xaa's have been detected in the Sequence Listing.
        (NEW RULES)   Use of <220> to <223> is MANDATORY if n's or Xaa's are present.

11 _____ Use of <213>Organism   Sequence(s) _____ are missing this mandatory field or its response.
        (NEW RULES)

12 _____ Use of <220>Feature   Sequence(s) _____ are missing the <220>Feature and associated headings.
        (NEW RULES)   Use of <220> to <223> is MANDATORY if <213>ORGANISM is "Artificial" or "Unknown"
                            (See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32)
                            (Sec. 1.823 of new Sequence Rules)

13 _____ Wrong Format   File submitted was in the alphabetical heading format of the Old Sequence Rules.This is invalid since the
                            "Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Disclosures"
                            Federal Register Notice, Vol. 63, No. 104, June 1, 1998, p. 29620
                            applies to applications filed on or after July 1, 1998
                            AKS-Biotechnology Systems Branch- 7/10/98

1635

PAGE: 1

RAW SEQUENCE LISTING
PATENT APPLICATION   *US/08/978,635*

DATE: 08/20/98
TIME: 15:26:08

INPUT SET: S28157.raw

This Raw Listing contains the General
Information Section and those Sequences
containing ERRORS.

```
 1                          SEQUENCE LISTING
 2
 3     (1)     General Information
 4                    inc'S
 5     (i)APPLICANTS:ELAZAR RABBANI
 6     JANNIS G. STAVRIANOPOULOS
 7     JAMES J. DONEGAN
 8     DAKAI LIU
 9     NORMAN E. KELKER
10     DEAN L. ENGELHARDT
11
12     (ii)TITLE OF INVENTION:NOVEL PROPERTY EFFECTING AND/OR PROPERTY EXHIBITING (COMPOSIT
13
14     (iii)NUMBER OF SEQUENCES: (42) delete - just use '42
15
16     (iv)CORRESPONDENCE ADDRESS:
17     (A)ADDRESSEE:ENZO THERAPEUTICS, INC.
18     (B)STREET:C/O ENZO BIOCHEM, INC.
19     527 MADISON AVENUE, 9TH FLOOR
20     (C)CITY:NEW YORK
21     (D)STATE:NY
22     (E)COUNTRY:USA
23     (F)ZIP:10022
24
25     (v)COMPUTER READABLE FORM:
26     (A)MEDIUM TYPE: 3.5" Micro Floppy Disk.  1.44 KB
27     STORAGE
28     (B)COMPUTER:IBM PC/XT/AT, IBM PS/2 OR COMPATIBLES
29     (C)OPERATING SYSTEM:PC-DOS
30     (D)SOFTWARE:  MICROSOFT WORD ___ - ASCII TEXT (DOS)
31
32     (vi)CURRENT APPLICATION DATA:
33     (A)APPLICATION NUMBER:   US 08/978,635
34     (B)FILING DATE:25-NOVEMBER-1997
35     (C)CLASSIFICATION:Not Yet Known
36          (viii)
37     (vii)ATTORNEY/AGENT INFORMATION:) use a colon ":"
38     (A)NAME:FEDUS, RONALD C.
39     (B)REGISTRATION NUMBER: 32,567
40     (C)REFERENCE/DOCKET NUMBER:ENZ-53(D4)
41          (ix)
42     (viii)TELECOMUNICATION INFORMATION: - insert colon
43     (A)TELEPHONE:(212) 583-0100
44     (B)TELEFAX:(212) 583-0150
45
```

[Handwritten annotations in right margin:]

Does Not Comply
Corrected Diskette Needed

error throughout

see item 3

On Error Summary Sheet Please

adjust line length globally.

Per Sequence Rules, only 72 characters per line allowed.

Fix margin.

[Handwritten left margin:] --> (at line 14), --> OK (at line 35)

INPUT SET: S28157.raw

```
-->    46  (ix)SEQUENCE DESCRIPTION:SEQ ID NO:1:
       47
```

delete

(see 1822 h)

Per Sequence Rules, use one space between amino acids.

ERRORED SEQUENCES FOLLOW:

```
      48   (2) INFORMATION FOR SEQ ID NO:1:
      49
      50   (i) SEQUENCE CHARACTERISTICS:
-->   51   (A) LENGTH:20 amino acids
      52   (B) TYPE:amino acid
      53   (C) STRANDEDNESS:single
      54   (D) TOPOLOGY:linear
      55
      56   (ii) MOLECULE TYPE: peptide
      57
      58   (iii) HYPOTHETICAL: NO
      59
      60   (ix) SEQUENCE DESCRIPTION:SEQ ID NO:1:
      61
      62   Gly  Phe  Phe  Gly  Ala  Ile  Ala  Gly  Phe  Leu  Glu  Gly  Gly  Trp
      63
      64
      65   Met  Ile  Ala  Gly
      66
      67
      68
```

only 18 visible on page

Fix amino numbering.
Do NOT use TAB codes between amino numbers. Use space character.

(xi) ← fix globally

×1   5   10 10   20   2c

```
     813   (2) INFORMATION FOR SEQ ID NO:42:
     814
     815   (i) SEQUENCE CHARACTERISTICS:
-->  816   (A) LENGTH:67 base pairs
     817   (B) TYPE:nucleic acid
     818   (C) STRANDEDNESS:single
     819   (D) TOPOLOGY:linear
     820
     821   (ii) MOLECULE TYPE: other nucleic acid
     822     (A) DESCRIPTION:  /desc = "oligonucleotide"
     823
     824   (iii) HYPOTHETICAL: YES
     825
     826   (ix) SEQUENCE DESCRIPTION:SEQ ID NO:42:
     827
     828   CCGGATAATA   CGACTCACTA   TAGGGCGAGC   TCGGTACCCG   GGTCTAGACT   CGACCTGCAG     60
     829
     830   GCATGCT          67
     831
     832
     833
     834
     835
```

(xi)

see next page

RAW SEQUENCE LISTING
PATENT APPLICATION US/08/978,635

INPUT SET: S28157.raw

```
      836   LC/WORD/USPROSECUTION/ENZ53D4/SEQUENCE LISTING.060898..enz-53(D4)
-->   837   SEQ ID: PAGE 15
      838
      839   ENZ-53(D4)
      840
      841   ENZ-53(D4)
      842
      843
      844
```

delete

SEQUENCE VERIFICATION REPORT
PATENT APPLICATION *US/08/978,635*

INPUT SET: S28157.raw

Line	Error	Original Text
14	Number of Sequences (0) Doesn't Equal Actual Count (42)	(iii)NUMBER OF SEQUENCES: __42__
35	Wrong Classification	(C)CLASSIFICATION:Not Yet Known
46	Unknown or Misplaced Identifier	(ix)SEQUENCE DESCRIPTION:SEQ ID NO:1:
51	Entered (20) and Calc. Seq. Length (19) differ	(A)LENGTH:20 amino acids
816	Entered (67) and Calc. Seq. Length (71) differ	(A)LENGTH:67 base pairs
837	Wrong Nucleic Acid Designator	SEQ ID: PAGE 15
837	Wrong Nucleic Acid Designator	SEQ ID: PAGE 15
837	Wrong Nucleic Acid Designator	SEQ ID: PAGE 15
837	Wrong Nucleic Acid Designator	SEQ ID: PAGE 15
837	Wrong Nucleic Acid Designator	SEQ ID: PAGE 15
837	Wrong Nucleic Acid Designator	SEQ ID: PAGE 15
837	# of Sequences for line conflicts w/ running total	SEQ ID: PAGE 15